

JURISDICTION:
General Reference:

UTAH
Utah Code Annotated

Required Use of Safety Belts¹:

Requirements:

I. When a motor vehicle² is in operation, the driver shall wear a safety belt. §41-6-182(1)(a)
II. When a motor vehicle² is in operation, the driver shall secure all passengers ≥5 but <16 years old in either an appropriate child restraint device³ or safety belt. §41-6-182(1)(c) See Required Use of Child Safety Restraint Systems below.
III. When a motor vehicle² is in operation, a passenger ≥16 years shall wear a safety belt. §41-6-182(2)
Secondary Enforcement. Law enforcement officers shall only enforce requirements I and III above as a secondary action when either the driver or passenger ≥19 years old has been detained for a suspected violation of some other provision of the motor vehicle laws or for another offense. §41-6-182(5)

Sanctions for Failure to Use or
Require the Use of Safety Belts:

Infraction: A fine of not more than **\$45**. §41-6-185(1)(a) Note: The fine may be reduced to **\$15** if the offender completes a 2 hour course on the benefits of using safety belts. §41-6-185(1)(b) No points may be assessed against any person for a violation of these requirements. §41-6-185(2)

Effect on Civil Liability:

Failure to wear a safety belt does not constitute contributory or comparative negligence. Evidence of such a failure may not be introduced as evidence in any civil litigation on the issues of negligence, injuries or the mitigation of damages. §41-6-186

Required Use of Child Safety Restraint Systems:

Requirements:

When a motor vehicle² is in operation, the driver shall secure all passengers <5 years old in a child restraint device³. §41-6-182(1)(b)

Sanctions for Failure to Require
the Use of Child Restraint Systems:

Infraction: A fine of not more than **\$45**. §41-6-185(1)(a) Note: The fine may be reduced to **\$15** if the offender completes a 2 hour course on the benefits of using a child restraint device. §41-6-185(1)(b) No points may be assessed against any person for a violation of these requirements. §41-6-185(2)

Required Use of Child Safety Restraint Systems:
(continued)

Effect on Civil Liability:

Failure to use a child restraint device does not constitute contributory or comparative negligence. Evidence of such a failure may not be introduced as evidence in any civil litigation on the issues of negligence, injuries or the

¹**Exemptions.** This requirement does not apply in the following circumstances: (1) To persons driving or riding in motor vehicles manufactured before July 1, 1966; (2) to persons who for physical or medical reasons are unable to wear a safety belt; (3) to persons riding in either a motor vehicle or a seating position within a motor vehicle that is not required to be equipped with a safety belt system under Federal law; and, (4) to persons where all of the seating positions are occupied by other passengers. §41-6-183

²The term "motor vehicle" "means a self-propelled vehicle intended primarily for use and operation on the highways." The term does not include vehicles that are not equipped with safety belts by the manufacturer. §§41-1a-102(33) & 41-6-181.5(2)

³"Child Restraint Device" means a child restraint device approved by the Commissioner of the Department of Public Safety. §41-6-181.5(1) Note: This could include the approval of booster seats for young children as well as child restraint devices for infants.

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mitigation of damages. §41-6-186

Required Use of Motorcycle Protective Headgear:

Requirements:

I. A person <18 years old may not operate or ride on a motorcycle or motor-driven cycle on a highway unless they wear State approved protective headgear. §41-6-107.8(1) This requirement does not apply if the operator or rider is within an enclosed cab. §41-6-107.8(2)

II. For off-highway vehicles, a person <18 years old⁴, who is operating or riding on either a motorcycle, snowmobile, or a Type I all-terrain vehicle, shall wear a protective headgear.⁵ §41-22-10.8(1)(b)

Sanctions for Failure to Use:

I. A violation of I above is an Infraction with a fine of not more than **\$750**. §§41-6-12(2), 76-3-205 & 76-3-301(1)(e)

II. A violation of II above is an Infraction with a fine sanction of not more than **\$50**. §41-22-10.8(3)

Note: The law does not appear to assign points for a violation of these requirements.

Required Use of Motorcycle Eye Protection Device:

Requirements:

None

Sanctions for Failure to Use:

Required Use of Bicycle Protective Headgear:

Requirements:

None

Sanctions for Failure to Use:

Required Use of Bicycle Eye Protection Device:

Requirements:

None

Sanctions for Failure to Use:

Prohibition Against Riding in Unsecured

⁴The requirement to wear protective headgear also applies to operators or riders regardless of age who are participating in competitive events on lands or highways designated as open for off-highway vehicle use. §41-22-10.8(1)(a)

⁵The requirement to wear protective headgear does not apply to operators or passengers of off-highway implements of husbandry when operated according to §41-22-5.5(3) to (5). §41-22-10.8(2)

Portion of Vehicle⁶:

Requirements:

- I. No person shall ride upon any portion of any vehicle that is not designed or intended for passenger use. §41-6-108
- II. No driver shall knowingly allow a person to ride upon any portion of any vehicle that is not designed or intended for passenger use. §41-6-108

Sanctions for a Violation:

Infraction: A fine of not more than **\$750**. §§41-6-12(2), 76-3-205 & 76-3-301(1)(e) Note: The law does not appear to assign points for a violation of these requirements.

Exemptions:

This prohibition does not apply either (1) if the vehicle is not being driven upon a highway, (2) if employees riding upon a vehicle are engaged in the necessary discharge of their duties or (3) if persons are riding in a vehicle space that is intended for any load. §41-6-108

⁶In addition, such a prohibition may have been indirectly established for certain children via the provisions of the Child Safety Restraint Systems law.

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